

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

COREY HARDIN, DAVID MUHAMMAD, and
CHASE WILLIAMS, individually and on behalf
of all others similarly situated,

Plaintiffs,

v.

TRON FOUNDATION, JUSTIN SUN, and
ZHIQIANG (LUCIEN) CHEN,

Defendants.

Case No. 1:20-cv-02804-VSB

Honorable Vernon S. Broderick

ORAL ARGUMENT REQUESTED

**DEFENDANTS TRON FOUNDATION’S AND JUSTIN SUN’S NOTICE OF MOTION
AND MOTION TO DISMISS THE AMENDED CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE that defendants TRON Foundation and Justin Sun will move this Court, before the Honorable Vernon S. Broderick, United States District Judge, at the United States Courthouse, 40 Foley Square, New York, New York 10007, on a date and at a time designated by the Court, pursuant to Federal Rule of Civil Procedure 12(b)(1), 12(b)(2), and 12(b)(6), or in the alternative, pursuant to the doctrine of *forum non conveniens*, for an Order dismissing the Amended Class Action Complaint, filed on August 24, 2020 (Dkt. No. 29), in its entirety and granting such other and further relief as this Court may deem just and proper.

The Motion to Dismiss is based on: this Notice of Motion and Motion; the accompanying Memorandum of Law in support thereof; the Notice of Documents Incorporated by Reference and Request for Judicial Notice; the Declaration of Casey O’Neill and Exhibits 1-6 thereto; the Declaration of Justin Sun; the Declaration of Suresh Nair; the pleadings and records on file in

this action; and such additional authorities and arguments as may be presented prior to or at the hearing on the Motion to Dismiss.

Dated: December 15, 2020

Respectfully submitted,

FENWICK & WEST LLP

By: /s/ Dean S. Kristy

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TRON FOUNDATION and JUSTIN SUN